

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALAN PRUSHAN, ET AL.,	:	
	:	
Plaintiffs,	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 16-cv-5303
SELECT COMFORT RETAIL CORP.,	:	
ET AL.,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 30th day of May, 2017, upon consideration of Defendants' Motion to Dismiss for Failure to State a Claim (Doc. No. 2) and Plaintiffs' Response in Opposition thereto (Doc. No. 9), for the reasons stated in the accompanying Memorandum, it is hereby ORDERED that Defendants' Motion is GRANTED as to Plaintiffs' fraud claim. In all other respects, Defendants' Motion is DENIED.

BY THE COURT:

s/J. Curtis Joyner  
J. CURTIS JOYNER, J.